

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Alan MacMillan, MaryAnn Lash, David McKinnon, Dan Aparo, Mel Michaels/Associate Member, Andrea Nichols/ Secretary, Geralyn Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five-member volunteer board. Five voting members are present.

Citizen Inquiries:

Jim Doyle for 138 South Street –requests extension of RDA (RDA 13-15) to construct septic system; reminds RCC that most of work is greater than 100’ to wetlands. RCC concern is whether it can extend its determination; Agent Falco assures RCC that it may extend its decision. Chairman Neal moves to extend Determination of Applicability for one (1) year; Mr. MacMillan seconds. Vote 5:0.

Erin O’Connell, 4 Blueberry Lane- requests minor amendment to RDA 16-10 to remove two clumps of trees within 100’ of quarry; explains that modular-home company needs more room to bring the home to site; is willing to plant new trees; submits letter and shows photos and plan. Chairman Neal moves to allow minor amendment to remove trees as presented; Mr. Aparo seconds. Vote 5:0.

Scott McInnis, 82 South Street – asks if RCC wants RDA filing to construct driveway to new house at 82 South Street; explains that house is >100’, driveway is >50’ to wetland and two (2) walls separate work area and wetland . RCC requires RDA for this work.

Jim Cooke, 37 Squam Road - requests minor amendment to OC issued under 62-0733 (septic system); finds that old pipe eroded grade near foundation at rear of house and wants to increase grade to level by 5-6” to elevation ; submits request in writing and shows plan of area. Chairman Neal moves to approve a minor amendment; Mrs. Lash 2. Vote: 5:0.

Minutes

11/02/16: Mr. McKinnon moves to approve minutes as amended; Mr. MacMillan seconds. Vote 4:1:0.

11/16/16: Mr. McKinnon moves to approve minutes as amended; Mr. MacMillan seconds. Vote 4:1:0.

New Hearings

NOI 62-0737, Kathleen Murphy, 16 Whale Cove Road (Map 31/Lot 13A). Demolish single-family house and construct stone revetment on coastal bank & within Land Subject to Coastal Storm Flowage. Isaac Rowe (Mill River Consulting) is present for applicant and makes presentation; property is at end of Whale Cove Road; notes house, path and cesspool locations on plan; BOH has approved new septic system; top of coastal bank (CB) zig-zags; flood zone is V-zone at elevation 22; notes two (2) drains on site; talks about drainage through site; stabilizing CB is priority as it has eroded; proposes stone revetment and discussion ensues; letter from wetland scientist states CB is not sediment producing; revetment is designed by structural engineer; includes stone steps from CB to area below. RCC questions if easement for public to remain; and how revetment will be kept from slumping. Site visit is scheduled for December 10, 2016. With permission from the Applicant, hearing is continued until December 21, 2016, pending site visit. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0738, Sydney Wedmore, Thacher Island Association, Straitsmouth Island (Map 29/ Lot 2). Construct & install landing wharf, pier & associated infrastructure to access Straitsmouth Island on Land Under the Ocean, coastal bank & within Land Subject to Coastal Storm Flowage. Dr. Wedmore (and others from Thacher Island Committee), Paul St. Germaine, and Timothy Forrester (Eco-Analysts, Inc.) are present. Dr. Wedmore gives justification for adding access to island; says town was given stewardship of lighthouse but has no access. Mr. St. Germaine gives history of island; shows old photographs showing boathouse and dock/landing at site. Mr. Forrester presents model of proposed landing ramp & pier; has studied island/surrounding waters and found no eel grass bed and bottom is hard ledge; describes proposal: pilings to support landing base, pilings to support pier adjacent to landing, hoist to be placed on pier to haul equipment onto island, and wooden decks on both landing & pier. Discussion ensues about island's wildlife sanctuary. *Eric Hutchins, 45 Poole's Lane* – asks if MA Audubon says that access landing is better for birds. Mr. McKinnon moves to close hearing; Mr. MacMillan seconds. Vote 5:0. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0739, Frank Rioux, 65 Penzance Road (Map 32/Lot 13). Demolish & rebuild single-family house with new septic system within 100' of coastal bank. William Manuell (Wetland & Land Management, Inc.) and Tim Thurman (Treehouse Design) are present for applicant to remove & rebuild house. Mr. Manuell makes presentation; discusses wetlands (BVW at street along both sides of gravel/pea-stone driveway and coastal bank (CB) at rear of property); masonry seawall borders irregular coastal bank (CB) and flood plane is seaward of it; to construct low stone wall inland of seawall on lawn and plant between walls; new house to encroach into 50' No-Build Zone from both BVW & CB, but will be farther from coastal bank than existing house; mitigation proposed includes planting coastal native vegetation (>10,000square feet) in lawn area; requests waiver to No-Build Zone; RCC requires waiver for septic system within 100' of CB; no disturbance to stability of CB by this project. RCC concerns are: dimension of garage; planting plan needs to be submitted; asks if there is alternative to house & garage locations. Site visit is scheduled for December 10 or 2016. With permission from the Applicant, hearing is continued until December 21, 2016, pending site visit. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Continued Hearings

NOI 62-0736, Cooke Realty, LLC, 37 Squam Road (Map 4/Lot 2A). Install drainage structures within intermittent stream and repair driveway/walkway within 100' of inland banks and intermittent t to put. Nobody is present for applicant; no further issues on site. Chairman Neal moves to close hearing; Mr. MacMillan seconds. Vote 5:0. **Hearing is closed. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0740 (Ecological Restoration Limited Project), DPW, Millbrook Meadow (Map 18/Lot 319 & 325). Restore Frog Pond shoreline & enhance riparian area, and reconfigure Mill Brook all within Riverfront Area & within 100' of inland banks & BVW. Jason Williams and Matt Sanford (MMI) are present for applicant to discuss site-visit findings; submit changes noted at site visit including: "removal plan", electricity from pole near cemetery may require removing Norway maple tree there, moving playground area away from stream, adding drinking fountain to plan, grading plan is modified to include contours at playground; meadow manhole is removed and pipe to catch

drainage at Peg Leg parking lot to go to stream; sump pump needs more information (is there easement) and landscape plan adds white oaks and bay berry. Mr. Sanford updates RCC on Marine Fisheries letter (time of year restrictions); has posted announcement in Environmental Monitor; has received email from MA Endangered Species Program; and Fish & Wildlife has signed off on project. Discussion ensues regarding restaurant sump pump. RCC issues: Mr. Aparo was not at last meeting but has reviewed filing and listened to recording of meeting; requests that applicant allow him to take part in final decision. Applicant allows Mr. Aparo participation rights. *Eric Hutchins, 45 Pooles Lane* – voices his opinion that this is opportunity to resolve sump pump issue; it should not be overlooked. Mr. McKinnon moves to close hearing; Mr. Aparo seconds. Vote 5:0. Hearing is continued/closed. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0???, The Landing Group Inc., Granite Street & Breakwater Avenue-Cape Ann Tool Co. site (Map 16/Lots 26A, 28, 28A). *Construct on 1 commercial & 13 single-family house lots within land subject to coastal storm flowage, coastal bank, land under waterbodies & waterways, land under the ocean and rocky intertidal shore resource areas.* (Applicant requests continuation of public hearing until December 21 2016). With no representative in attendance, public hearing is continued until December 21, 2016 pending DEP# & more information. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Review Orders of Conditions

NOI 62-0736, Cooke Realty, LLC, 37 Squam Road (Map 4/Lot 2A). (Mrs. Lash leaves room) Chairman Neal moves issue OC as amended; Mr. McKinnon seconds. Vote 4:0.

Other Business

- Back Beach Minor Amendment (DEP 62-0716)-(DPW requests continuation of discussion until January 18, 2017)
- **Request for Certificate of Compliance, NOI 62-0665, Francis & Sally Levesque, 60 Granite Street (Map 10/Lot 23).** Mr. MacMillan moves to issue CoC; Chairman Neal seconds. Vote 5:0.
- **Goals for the agent** - will review goals next meeting.
- **Mass. Assoc. of Conservation:** RCC discusses MACC letter to State regarding gas pipelines in state. Mr. MacMillan moves to add RCC to letter; Mrs. Lash seconds. Vote 3:2.
- **New Business/Announcements** - Chairman Neal moves to add following to agenda, Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. McKinnon, Mrs. Lash, Mr. Aparo, Chairman Neal.
 - 2017 Meetings – RCC approves list of meetings for 2017, omitting July 5, 2017. Chairman Neal moves to accept meeting list as amended; Mrs. Lash seconds. Vote 5:0.

Mr. McKinnon moves to adjourn the meeting; Mr. MacMillan seconds. Vote 5:0.

9:39 PM

RCC ► Meeting adjourns 9:39 PM ◄ RCC